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Services, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

INDEPENDENT RECORDING INDUSTRY
SERVICES, INC.,

Plaintiff,

vs.

DON LICHTERMAN; SUNSET RECORDS,
INC.; SUNSET HOLDING CO., LLC; and
SUNSET RECORDS GROUP,

Defendants.

Case No.: C-08-0370

**MOTION TO CONTINUE CASE
MANAGEMENT CONFERENCE;
ORDER THEREON**

Plaintiffs hereby request that this Court continue the Case Management Conference currently set for May 5, 2008 at 4:00 p.m. for approximately sixty days, to July 7, 2008 at 4:00 p.m. on the following grounds.

On January 18, 2008 Plaintiff filed its Complaint For Defamation, Interference with Contract, Interference with Prospective Economic Advantage, and Civil Conspiracy (the "Complaint") seeking damages and preliminary and permanent injunctions requiring Defendants to cease their continued acts of defamation and interference.

The Complaint was served on Defendant by certified mail on January 18, 2008. Defendants' Answer was due on February 14, 2008. Defendants failed to file an Answer or any responsive pleading. Although Plaintiff has been in contact with Defendant Lichterman, who is

1 believed to be a principal for the other Defendants, efforts to resolve the dispute have not yet
2 been fruitful.

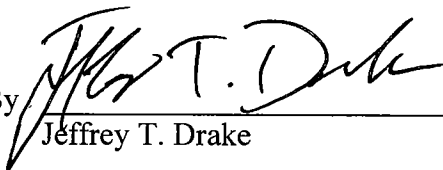
3 Since filing the complaint, Plaintiff's counsel has merged with another firm and,
4 unfortunately, the integration of calendars apparently did not include the case management
5 deadlines for this case. We apologize for this oversight.

6 Plaintiff intends to file with this Court a request for entry of default against all
7 defendants and Plaintiff seeks a continuance of the case management conference for sixty days
8 in order to file the request. If the Court continues the case management conference, Plaintiff
9 will either (1) file the request for entry of default, (2) obtain Defendants' answers, or (3) dismiss
10 the case before the date of the continued case management conference. Unless the case has
11 been dismissed, Plaintiff will file a Case Management Statement at least seven days before the
12 continued case management conference.

13 Based on the above, Plaintiff respectfully requests that this Court continue the Case
14 Management Conference for sixty days, until July 7, 2008 at 4:00 p.m.

15 DATED: May 5, 2008

16 BULLIVANT HOUSER BAILEY PC

17
18 By 
19 Jeffrey T. Drake

20 Attorneys for Independent Recording Industry
21 Services, Inc.

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CASE MANAGEMENT ORDER

The Court having read Plaintiffs' Motion to Continue Case Management Conference and good cause appearing therefore:

IT IS HEREBY ORDERED that the Case Management Conference currently scheduled for May 5, 2008 at 4:00 p.m. be continued to July 7, 2008 at 4:00 p.m., Courtroom G, 15th floor, San Francisco, California.

DATED: May 5, 2008

By


HON. BERNARD ZIMMERMAN
UNITED STATES MAGISTRATE JUDGE

